



## Summary of legislation

### **Landlord and Tenant Act 1954**

#### **Local Government and Housing Act 1989 (schedule 10)**

Gives most long leaseholders the right to remain as a renting tenant at the end of their lease.

### **Leasehold Reform Act 1967**

Gives most long leaseholders of houses the right to purchase the freehold or extend their lease

Gives landlords of leasehold houses the right to apply for the retention of management powers for the general benefit of the neighbourhoods (estate management schemes).

### **Landlord and Tenant Act 1985**

Gives tenants rights in relation to service charges

Gives tenants rights in relation to consultation about major works (qualifying works and long term agreements)

Gives tenants rights to information about and to challenge service charges

Gives tenants rights relating to the insurance of their property

Gives tenants the right to have a recognised tenants association

Gives tenants rights to consultation about managing agents.

### **Landlord and Tenant Act 1987**

Gives qualifying tenants of flats the Right of First Refusal to buy the freehold

Gave tenants the right to seek the appointment of a new manager by a court

Gives tenants rights to compulsory purchase of a landlord's interest in certain circumstances

Requires service charges to be held in a separate account and in trust

Gives tenants the right to seek variation of their leases.

## **Leasehold Reform, Housing and Urban Development Act 1993**

Gives most long leaseholders of flats the collective right to buy their freehold and the individual right to renew their leases

Gives Leaseholders the right to a management audit

Gives the Secretary of State or National Assembly for Wales the power to approve management codes of practice

Gives landlords of leasehold flats the right to apply for an estate management scheme

Transfers responsibility for estate management scheme variations to LVTs.

## **Housing Act 1996**

Makes it easier for leaseholders to challenge unreasonable service charges and restricts the landlord's right to forfeit where an item or items of service charges are disputed

Strengthens the Right of First Refusal by making it a summary offence

Extends the rights of leaseholders to buy the freehold of their building

Gives jurisdiction for LVTs to determine service charges disputes and applications for the appointment of a manager.

## **Commonhold and Leasehold Reform Act 2002.**

*1st phase of provisions commenced 26 July 2002 in England and 1 January 2003 in Wales*

Relaxes the qualifying rules for buying the freehold of a leasehold property or extending the lease (houses and flats)

Provides that the marriage value is disregarded where leases have more than 80 years to run and that it is split 50/50 in all cases where it does apply

Raises the commercial limit for blocks of flats from 10% to 25%

Gives new rights to personal representatives of deceased leaseholder of flats and houses.



Allows leaseholders of houses who have already extended their lease under the 1967 Act to the right to buy the freehold, or remain in the property as a renting tenant when the lease expires

Widens the right to seek the appointment of a new manager for blocks of flats

Widens the grounds under which a lease can be varied.

*2<sup>nd</sup> phase of provisions commenced on 30 September 2003 in England and 30 March 2004 in Wales*

Gives leaseholders of blocks of flats a 'no-fault' right to take over the management of their block

Includes improvements in the definition of service charges

Widens the jurisdiction of the LVTs, for example to determine the liability to pay service charges, the reasonableness of administration charges payable under a lease, variations of leases and charges payable under Estate Management schemes.

*2<sup>nd</sup> phase of provisions commenced on 31 October 2003 in England and 30 March 2004 in Wales*

Improves the rights for leaseholders paying variable service charges to be consulted about long term agreements and qualifying works.

*3<sup>rd</sup> phase of provisions commenced 28 February 2005 in England and 31 May 2005 in Wales*

Requires landlords to demand ground rents in a specific manner before they are able to take any action or impose any penalties for late payment

Requires landlords to first satisfy a Leasehold Valuation Tribunal, court or arbitral tribunal that a disputed breach of a covenant or condition of the lease has occurred before they are able to take any forfeiture action

Prevents landlords from forfeiting leases as a result of trivial debts that consist of ground rent, service charges, administration charges (or a combination of them) where

the debt does not exceed £350, unless all or any part of the sum has been outstanding for more than 3 years  
Prevents landlords from insisting that leaseholders of houses use a particular insurance company nominated or approved by them to insure their house  
Fixes the valuation date for collective enfranchisement of flats at the date that the initial notice is served.

*4<sup>th</sup> phase of provisions commenced on 1 October 2007 in England and 30 November 2007 in Wales*

Requires landlords to send a summary of the tenant's rights and obligations with a demand for service charges, using particular wording set out in regulations

Requires landlords to send a summary of the tenant's rights and obligations with a demand for administration charges using particular wording set out in regulations.